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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/587,488	07/27/2006	Stefan Gustavsson	PS03 0228US	5172
58561 7590 11/27/2007 HARRITY SNYDER, L.L.P. 11350 RANDOM HILLS ROAD SUITE 600 FAIRFAX, VA 22030			EXAMINER PAUL, DISLER	
			ART UNIT 2615	PAPER NUMBER
			MAIL DATE 11/27/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b>		<b>Applicant(s)</b>	
	10/587,488		GUSTAVSSON, STEFAN	
	<b>Examiner</b>		<b>Art Unit</b>	
	Disler Paul		2615	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |  |
|--|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date <u>7/27/06</u> | 6) <input type="checkbox"/> Other: ____  |

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-10 is rejected under 35 U.S.C. 102(e) as being anticipated by Lechner ("US 2006/0262945 A1).

Re claim 1, Lechner disclose of the portable electronic equipment including a speaker and a receiver for sound reproduction, which speaker and receiver share a back volumes (fig.1-4 wt (3,2); page 1 par[0002]/with shared circuit wt (8)) ; characterized in that said portable electronic equipment comprises a control/damping unit arranged to damp the receiver while the speaker is active (fig.1-2. wt (5,9); page 2 par[0018] at line (28); page 1 par[0010] line 12-15).

Re claim 2, the equipment of claim 1, wherein said control/damping unit includes a control unit that controls

switching between speaker mode and sound receiver mode (fig.1-4 wt (5,9)).

Re claim 3, the equipment of claim 2, However, Lechner is silent in regard of the specific wherein the control unit is arranged to control voltage or current over the receiver such that it avoids the latter to operate as a leak. However, Lechner did disclose of having a circuit with switching/control device wherein switch is placed in between the resistor and signal for allowing only exclusive audio/buzzer signal to the loudspeaker while the other earpiece may be in operation(fig.3, col.2 par[0020]/ earpiece may not be entirely turned off), thus with the above disclosure, it is inherent of the existence of such controlling unit is arranged to control voltage or current over the receiver such that it avoids the latter to operate as a leak.

Re claim 4, the equipment according to claim 1, wherein the equipment is a cellular phone, a smart phone or a communicator (par[0002]).

Re claim 5 has been analyzed and rejected with respect to claim 1.

Re claim 6, the method according to claim 5, wherein voltage or current over the receiver is controlled such that it avoids the latter to operate as a leak (see claim 3 rejection).

Reclaim 7, the method of claim 5, wherein switching between speaker mode and sound receiver mode is controlled to provide damping the receiver while the speaker is active (fig.1-2 wt(5,9)/controlling receiver while speaker active).

Re claim 8, the equipment according to claim 2, wherein the equipment is a cellular phone, a smart phone or a communicator (par[0002]).

Re claim 9, the equipment according to claim 3, wherein the equipment is a cellular phone, a smart phone or a communicator (par[0002]).

Re claim 10, the method of claim 6, wherein switching between speaker mode and sound receiver mode is controlled to

provide damping the receiver while the speaker is active fig.1-2  
wt(5,9)/controlling receiver while speaker active).


### **Conclusion**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Disler Paul whose telephone number is 571-270-1187. The examiner can normally be reached on 7:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chin Vivian can be reached on 571-272-7848. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

DP

  
**VIVIAN CHIN**  
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